

AMENDED IN ASSEMBLY APRIL 18, 2013

AMENDED IN ASSEMBLY APRIL 2, 2013

AMENDED IN ASSEMBLY MARCH 11, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 56

Introduced by Assembly Member Weber
(Coauthors: Assembly Members Ammiano, Brown, Holden, and
Maienschein *Maienschein, and Wieckowski*)
(Coauthor: Senator Cannella)

January 7, 2013

An act to add Article 7 (commencing with Section 32080) to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 56, as amended, Weber. School facilities: carbon monoxide devices.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires certain new school facilities construction projects that require the approval of the Department of General Services, as specified, to include an automatic fire detection, alarm, and sprinkler system. The act also requires certain modernization projects that require the approval of the department to include an automatic fire detection and alarm system, as specified.

Existing law requires an owner of a dwelling unit intended for human occupancy to install a carbon monoxide device, as specified, in each existing dwelling unit having a fossil fuel burning heater or appliance, a fireplace, or an attached garage.

This bill would require any private or public school building used for educational purposes for kindergarten or any of grades 1 to 12, inclusive, that is built or modernized on or after January 1, 2014, and that has a fossil fuel burning furnace located inside the school building, to have a carbon monoxide device. The bill would define “modernized” as a rehabilitation project that has an estimated total cost in excess of \$200,000, and would require that the carbon monoxide device be installed in close proximity to each furnace located within the school building. *The bill would also require the State Fire Marshal to adopt rules and regulations that he or she deems necessary to implement these provisions.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) (1) Carbon monoxide is an odorless, colorless gas produced
- 4 when fuel, such as gas, oil, kerosene, wood, or charcoal, is burned.
- 5 Carbon monoxide can cause harmful health effects by reducing
- 6 the delivery of oxygen to the body’s organs, such as the heart,
- 7 brain, and tissues. The most common symptoms of carbon
- 8 monoxide poisoning are headaches, dizziness, weakness, nausea,
- 9 vomiting, chest pain, and confusion. Long-term breathing of carbon
- 10 monoxide can affect the memory, brain function, behavior, and
- 11 cognition. According to the American Medical Association, carbon
- 12 monoxide is the leading cause of accidental poisoning deaths in
- 13 the United States. Gas furnaces and other fuel-burning appliances
- 14 are common sources of carbon monoxide poisoning.
- 15 (2) The federal Centers for Disease Control and Prevention
- 16 estimate that each year more than 400 Americans die from
- 17 unintentional carbon monoxide poisoning, more than 20,000 visit
- 18 the emergency room, and more than 4,000 are hospitalized due to
- 19 carbon monoxide poisoning. According to the United States
- 20 Environmental Protection Agency, a person cannot see or smell
- 21 carbon monoxide. At high levels, carbon monoxide can kill a
- 22 person in minutes.
- 23 (3) The State Air Resources Board estimates that every year
- 24 carbon monoxide accounts for between 30 and 40 avoidable deaths,

1 possibly thousands of avoidable illnesses, and between 175 and
2 700 avoidable emergency room and hospital visits.

3 (4) There are well-documented chronic health effects of acute
4 carbon monoxide poisoning and prolonged exposure to carbon
5 monoxide, including, but not limited to, lethargy, headaches,
6 concentration problems, amnesia, psychosis, Parkinson's disease,
7 memory impairment, and personality alterations.

8 (b) In an analysis conducted by the National Fire Protection
9 Association of nonfire carbon monoxide incidents reported for the
10 year 2005, 250 carbon monoxide incidents were reported
11 nationwide in educational facilities. Of these, 150 incidents
12 occurred in school buildings used for preschool, kindergarten, or
13 grades 1 to 12, inclusive.

14 (c) (1) On December 3, 2012, Finch Elementary School in
15 Atlanta, Georgia, was evacuated after firefighters discovered a
16 carbon monoxide leak from the school's furnace. Firefighters
17 responded to the school after reports came in that people at the
18 school were unconscious. Although no one was found unconscious,
19 firefighters found people sickened and, in total, 43 students and
20 10 adults were taken to the local hospital.

21 (2) The firefighters detected high and unsafe levels of carbon
22 monoxide near a furnace, and detected up to 1,700 parts per million
23 of carbon monoxide in other areas, a very high level of the gas.

24 (3) The State of Georgia did not require school facilities to have,
25 and Finch Elementary School did not have, carbon monoxide
26 detectors. Two states, Maryland and Connecticut, have passed
27 legislation requiring carbon monoxide detectors in school facilities.

28 (d) Senate Bill 183 of the 2009–10 Regular Session (Chapter
29 19 of the Statutes of 2010) requires a dwelling unit that is intended
30 for human occupancy and that has a fossil fuel burning heater or
31 appliance, a fireplace, or an attached garage to have a carbon
32 monoxide alarm, as specified.

33 (e) Because carbon monoxide affects individuals differently
34 and symptoms of exposure can mimic symptoms of common
35 ailments such as the influenza virus, it is difficult to quantify the
36 exact number of carbon monoxide incidents in school buildings
37 and it is highly probable that the number of carbon monoxide
38 incidents is underreported. Additionally, the number of carbon
39 monoxide incidents in schools will likely rise in future years as
40 school buildings and their infrastructure become outdated over

1 time. Carbon monoxide devices provide a vital, highly effective,
2 and low-cost protection against carbon monoxide poisoning and
3 these devices should be made available to every school in
4 California to help prevent students from being exposed to the
5 effects of carbon monoxide.

6 SEC. 2. Article 7 (commencing with Section 32080) is added
7 to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education
8 Code, to read:

9
10 Article 7. Carbon Monoxide Devices

11
12 32080. For purposes of this article, the following definitions
13 shall apply:

14 (a) "Fossil fuel" has the same meaning as defined in Section
15 13262 of the Health and Safety Code.

16 (b) "Modernized" means a rehabilitation project that has an
17 estimated total cost in excess of two hundred thousand dollars
18 (\$200,000).

19 32081. (a) A private or public school building that is used for
20 educational purposes for kindergarten or any of grades 1 to 12,
21 inclusive, that is built or modernized on or after January 1, 2014,
22 and that has a fossil fuel burning furnace located inside the school
23 building, shall have a carbon monoxide device, as defined in
24 Section 13262 of the Health and Safety Code, installed in that
25 building.

26 (b) A private or public school used for educational purposes for
27 kindergarten or any of grades 1 to 12, inclusive, that has a furnace
28 located inside the school building, and that was built or modernized
29 prior to January 1, 2014, is encouraged to have a carbon monoxide
30 device installed in the building.

31 32085. A carbon monoxide device installed pursuant to Section
32 32081 shall be installed in close proximity to each furnace located
33 within the public or private school building so that the device can
34 accurately detect the leakage of carbon monoxide.

35 32086. *The State Fire Marshal shall adopt rules and*
36 *regulations that he or she deems necessary to implement this*
37 *article.*